



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
HOUSE RANGE/WARM SPRINGS RESOURCE AREA
35 East 500 North
Fillmore, UT 84631

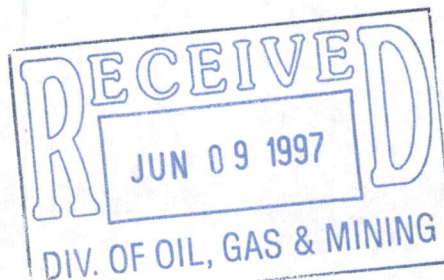


IN REPLY REFER TO:
3800
(U-055)
UTU-070654

June 2, 1997

CERTIFIED MAIL #P 556 237 723
RETURN RECEIPT REQUESTED

GARY WARDLE
MINING SPECIALITIES
1610 E 3970 S
SALT LAKE CITY UT 84106



Dear Mr. Wardle:

On May 28, 1997, a field compliance inspection was conducted at the NW¼ of Section 1, T. 19 S., R. 14 W., the site of which you submitted a Notice of Intent, which we serialized UTU-070654. No recent activity was observed during this inspection.

43 CFR 3809.3-7 states:

All operators shall maintain the site, structures and other facilities of the operations in a safe and clean condition during any non-operating periods. All operators may be required, after an extended period of non-operation for other than seasonal operations, to remove all structures, equipment and other facilities and reclaim the site of operations unless he/she receives permission, in writing, from the authorized officer to do otherwise.

No activity has been observed at your operation since 1994. You have never received permission for such an extended shutdown. Also, there are numerous oil stains at the site, which indicate that the facilities were not left in clean condition.

In order to come into compliance with the above regulation, we are requiring that you either resume activities or commence reclamation within 30 days of receipt of this letter. Also, new regulations, 43 CFR 3715 which took effect on August 15, 1996, apply to your cabin on the site. A copy of the regulations is enclosed. As of the fore-mentioned date, your cabin must have met all the requirements of §3715.5.

On June 1 and July 26, 1994, the U. S. Army Corps of Engineers sent you letters requiring that you submit to this office a detailed reclamation plan for your operation. You failed to do so, and the approval status of your nationwide permit no. 26 may be in jeopardy. Therefore, before commencing operations or reclamation, you are required to submit to this office an amendment to your notice that includes an acceptable reclamation plan. Also, we must have accurate addresses for all claimants on the Red Bone claims. If any of the addresses below are no longer current, you must correct them on your amendment. Please note that we have no addresses at all for Bruce or Michael Lindow.

New regulations (copy enclosed) which took effect on March 31, 1997 require submission of a certification of financial guarantee for reclamation of any new or amended notices of intent. You must calculate, or have calculated for you, the cost of reclamation for your project, then have the amount reviewed and certified by a professional engineer. The minimal amount must be \$1,000

per disturbed acre, or fraction thereof. You then must certify that the funds have been converted to one of the types of financial instruments specified in §3809.1-9(k). We are enclosing a form which you may use for this purpose.

Reclamation of the site should consist of:

1. Removing all equipment and structures.
2. Pick up all oil-stained soil, dispose of it at an approved disposal facility, and obtain a receipt which must be available for review at the request of the Authorized Officer.
3. Pump the water from the settling pond, then breach the dam. Back fill the retention and the settling ponds.
4. Replace the topsoil, and install erosion control devices.
5. Rip all compacted areas from which topsoil was not removed.
5. Apply the following seed mixture to the disturbed area:

| <u>Common Name</u> | <u>Pounds/acre</u> |
|---------------------|--------------------|
| Great Basin Wildrye | 5 |
| Yellow Sweet Clover | 5 |
| Crested Wheatgrass | 5 |

The BLM requires pure live seed be purchased for the rehabilitation of federal land. The seed weights given are for drilling. The seed should be drilled to a depth of one half to an inch. If is not possible to drill the seed, then the seed can be broadcast. If the seed is broadcast, the application rate should be doubled. After broadcasting, the land should be lightly harrowed to bed the seeds.

Seeding shall be done between October 15 and November 30, before the ground freezes. Upon completion, we request that you send us a copy of the seed tags and receipts.

Failure to submit the reclamation plan and to begin appropriate on-the-ground actions within 30 days of receipt of this letter will result in the issuance of a Notice of Noncompliance. If you have any questions, please feel free to contact Sheri Wysong or me at (801)743-3100.

Sincerely,



Rex Rowley
Area Manager

Enclosures

Federal Register, July 16, 1996
Federal Register, February 28, 1997
Certification of Financial Guarantee Form

cc: Lynn Spafford, 6026 Village III Rd., SLC, UT 84121
Sharallee Lamb & Viran Wardle, 3100 S. 6287 W., WVC, UT 84120
Jerry Wardle, 618 Mansfield, Salt Lake City, UT 84106
Warren Swank, 4982 S. 2575 W., Roy, UT 84067
Alvin Harris, 1510 E. Copper Creek Rd., Sandy, UT 84093
Tom Munson, UDOGM (E/027/034)
Mike Schwinn, U.S. Army Corps of Engineers